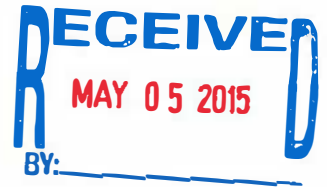




UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
25063 CENTER RIDGE ROAD  
WESTLAKE, OH 44145-4114



April 29, 2015

Ms. Ilana Saltzbart  
King & Spalding LLP on behalf of Statoil Oil & Gas, LP  
1700 Pennsylvania Avenue, NW  
Washington, DC 20006

Re: Draft Work Plan for Statoil Eisenbarth Well Pad Site

Dear Ms. Saltzbart:

On February 24, 2015, U.S. Environmental Protection Agency (U.S. EPA) conditionally approved the Draft Work Plan for the Statoil Eisenbarth Well Pad with required revisions contained in the letter granting approval. Statoil responded to the required revisions in a letter dated March 13, 2015. Furthermore, Statoil provided additional data to U.S. EPA for review as part of work performed to fulfill Ohio Department of Natural Resources requirements. On March 17, 2015, Mr. Steve Tink and I had a call to discuss U.S. EPA's required revisions and Statoil's response. This letter: 1) documents changes to the U.S. EPA letter dated February 24, 2015, 2) is a response to Statoil's letter dated March 13, 2015 and 3) documents our phone discussion on March 17, 2015 and subsequent correspondence.

Pursuant to Section VIII, paragraph 16-b of the AOC, the Work Plan for the Statoil Well Pad Site is hereby approved with the modifications accompanying this letter. The Work Plan shall be implemented, with modifications, in accordance with the schedule approved by the U.S. EPA in this letter.

If you have any questions or concerns, please contact me at 440-250-1744.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Justice".

James Justice  
U.S. EPA On-Scene Coordinator

## **U.S. EPA Comments to Letter Regarding Revisions to the Draft Work Plan For Statoil Eisenbarth Well Pad Site**

### **COMMENTS AND RESPONSES TO LETTER:**

#### **Section I. Issues related to General Comments:**

1. Clarified that the statement regarding analytes being below ecological screening levels protective of aquatic life and wildlife excludes TTPC.
2. U.S. EPA believes collection and containment activities can be discontinued.
3. Agreed that some of the surface soils along the southern edge of the pad exhibiting elevated TTPC concentrations in the ppm range will be removed as part of planned well pad reconstruction.
4. Based on review of analytical results that beginning the week March 22, 2015, sampling efforts conducted under the previously approved sampling plans can be discontinued and be replaced by those approved as part of the work plan required under the AOC.

#### **Section II a. Issues related to EPA's Section 15.a.i comments:**

The U.S. EPA reserves judgment on *de minimis* TTPC detections and modifies the February 23, 2015 letter to require:

1. Quarterly sampling of the well pad outfalls will not be required; however, one additional sampling event of the agreed upon outfalls associated with the well pad will be required upon the completion of all remediation and reconstruction work related to the Eisenbarth Well Pad.
2. To date, Statoil has collected three rounds of groundwater monitoring well samples and one more round is scheduled. U.S. EPA requests that this sampling be performed in late June, approximately one year from the date of the initial incident. This will complete four quarters of sampling and all results will be reviewed to determine if additional sampling is needed.
3. Statoil clarified that the private well, located 900 feet south of the Eisenbarth Well Pad, could be hydraulically connected to the groundwater on the southern edge of the well pad. However, four groundwater monitoring wells exist between the well pad and the private well. As a result, U.S. EPA will postpone requirement to sample private wells in close proximity to the well pad dependent upon review of remaining groundwater monitoring well sample results.

#### **Section II b. Issues related to EPA's Section 15.a.ii comments:**

1. U.S. EPA rescinds the requirement to sample outfalls monthly until containment is discontinued (refer to comment 1 in **Section II a. Issues related to EPA's Section 15.a.i comments**).
2. U.S. EPA agrees with substituting location SW02 for PD10.

**Section II c. Issues related to EPA's Section 15.a.iii comments:**

1. Clarified that WET, WST and biological assessment sampling events will occur once in 2015 and another in 2016 at locations identified per the Work Plan.
2. Extrapolation of acute results from chronic WET tests is acceptable.
3. Use of the 28-day endpoint instead of the 42-day endpoint for *H. azteca* is acceptable.
4. U.S. EPA believes that NOAELs and LOAELs can be calculated as part of the WST testing. These end points will need to be reported as part of the WST results.

**Section III a. Issues related to the Proposed Schedule of Tasks:**

1. Biological assessments were scheduled to take place in 2015 and 2016 as part of the original Draft Work Plan. Please capture the 2015 event in the schedule.
2. Please capture the 2015 and 2016 WET and WST sampling events in the schedule.
3. Please capture the additional outfall sampling event and groundwater monitoring well events in the schedule.